

§ 29.14 Secretary.

Secretary means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

§ 29.15 Department.

The U.S. Department of Agriculture.

§ 29.16 Division.

Tobacco Division, Agricultural Marketing Service, U.S. Department of Agriculture.

§ 29.17 Director.

Director or Acting Director, Tobacco Division, Agricultural Marketing Service, U.S. Department of Agriculture.

§ 29.18 Person.

Individual, association, partnership, or corporation.

§ 29.19 Inspector.

Person employed, licensed, or authorized by the Secretary to determine and certify the type, grade, condition, or other characteristics of tobacco.

§ 29.20 Sampler.

Person employed, licensed, or authorized by the Secretary to select, tag, and seal official samples of tobacco.

§ 29.21 Weigher.

Person employed, licensed, or authorized by the Secretary to weigh and certify the weight of tobacco.

§ 29.22 Appeal inspector.

An inspector or other person designated or authorized by the Division to hear appeals under the Act and the regulations in this subpart.

§ 29.23 Tobacco.

Tobacco in its unmanufactured forms as it appears between the time it is cured and stripped from the stalk, or primed and cured and the time it enters a manufacturing process. Conditioning, sweating, and stemming are not regarded as manufacturing processes.

§ 29.24 Official standards.

Standards for tobacco promulgated by the Secretary under the Act.

§ 29.25 Tentative standards.

Standards for tobacco prepared by the Division for trial purposes and limited use pending promulgation by the Secretary of Official Standards.

§ 29.26 Office of inspection.

A field office of the tobacco inspection service of the Division.

§ 29.27 Certificate.

A certificate issued under the Act and the regulations in this subpart.

§ 29.28 Interested party.

The owner or other financially interested person; including the warehouseman, commission merchant, association, and other person who has the tobacco in his custody for sale; the authorized agent of the owner; and persons to whom or by whom the tobacco has been sold on the basis of a certificate issued, or sample prepared, under the Act, but not including a person who is negotiating for its purchase.

§ 29.29 Regulations.

Rules and regulations of the Secretary under the Act.

§ 29.30 Package.

A hogshead, tierce, case, bale, or other securely enclosed parcel or bundle.

§ 29.31 Lot.

A pile, basket, bulk, package, or other definite unit.

§ 29.32 Identification number.

A number or a combination of letters and numbers in a design or mark approved by the Director, stamped, printed, or stenciled on a lot of tobacco or attached thereto by an inspector, sampler, or weigher for the purpose of identifying the lot covered by a certificate issued under the Act.

§ 29.33 Official sample.

A sample selected, tagged, and signed by an inspector or sampler under the Act.

§ 29.34 Sample seal.

A seal approved by the Director for sealing official samples.

§ 29.35 Lot seal.

A seal approved by the Director for sealing lots of tobacco certificated under the Act.

§ 29.36 Auction market.

A place to which tobacco is delivered by the producers thereof, or their agents, for sale at auction through a warehouseman or commission merchant.

§ 29.37 Designated market.

An auction market designated by the Secretary, under section 5 of the Act.

§ 29.38 Public notice.

A proclamation by the Secretary under the Act (a) stating that an auction market is designated under the Act; (b) giving notice of such fact; (c) specifying a date when the requirement of inspection and certification under the act shall become effective; and (d) released to the press, mailed to the tobacco board of trade or warehouse association of such market, and mailed to the postmaster at such market for posting.

§ 29.39 Permissive inspection.

Inspection authorized under section 6 of the Act.

§ 29.40 Mandatory inspection.

Inspection authorized or required under section 5 of the Act.

ADMINISTRATION

§ 29.51 Administration.

The Director is charged with the supervision of the Division and the performance of all duties assigned thereto in the administration of the Act. Information concerning such administration may be obtained by addressing: The Director, Tobacco Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, DC 20250.

PERMISSIVE INSPECTION

§ 29.56 Permissive inspection.

Permissive inspection consists of inspection, including sampling and weighing, and certificating tobacco upon the request of an interested party. Upon such request, the Director may authorize and require an inspector, as a part of his duties, to supervise the preparation of tobacco to be inspected under the Act, including the sorting, handling, conditioning, or packing of such tobacco.

§ 29.57 Where inspection is offered.

Tobacco may be inspected, sampled, or weighed for the purposes of the Act, upon request of an interested party, at points indicated in paragraphs (a), (b), and (c) of this section whenever official inspectors, samplers, or weighers are available and the tobacco is offered under conditions that permit of its proper examination.

(a) Points at which tobacco enters, or is offered for, interstate or foreign shipment, including packing houses, prizeeries, warehouses, and other places where tobacco is handled, packed, or stored.

(b) The stations or the headquarters of inspectors, samplers, or weighers. An official station may be any town, city, or place having a market, receiving station, or other facilities for handling, packing, or storing tobacco and where there is a sufficient volume of work to justify the stationing of an inspector, sampler, or weigher.

(c) Points near an official station, to the extent permitted by the time of the inspector, sampler, or weigher at such official station.

§ 29.58 Who may obtain inspection.

Inspection, sampling, or weighing as described in § 29.56 may be requested by an interested party, or his authorized agent, by filing an application in accordance with §§ 29.59 and 29.60.

§ 29.59 How to make application.

Application for inspection, sampling, or weighing of tobacco shall be made to the Division, the office of inspection,